
**Agriculture & Natural Resources
Committee**

HB 1380

Brief Description: Concerning the relinquishment of a water right.

Sponsors: Representatives Warnick, Blake, Hinkle, Taylor, Haler, McCune, Armstrong, Condotta, Johnson, Parker and Shea.

Brief Summary of Bill

- Prevents the relinquishment of a water right if the owner uses at least a portion of the water right for the established purpose of use.

Hearing Date: 2/2/11

Staff: Courtney Barnes (786-7194).

Background:

In general, if a person abandons his or her water right or voluntarily fails to use the right for five successive years, the person relinquishes the right or the portion of the right abandoned or not used. However, exemptions from this requirement are provided in two forms: (1) outright exemptions from the statutory relinquishment provisions; and (2) a list of "sufficient causes" for the voluntary non-use. These "sufficient causes" provide exemptions from relinquishment [RCW 90.14.140].

The Department of Ecology (Department) may determine when a water right has reverted to the state for nonuse. A person may appeal the Department's findings to the Pollution Control Hearings Board [RCW 90.14.130].

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

An owner of a water right does not relinquish his or her right if the owner continues to use at least a portion of the water for the established purpose of use.

Appropriation: None.

Fiscal Note: Requested on 1/28/11.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.